

## Message Text

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ACTION EUR-12

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INFO USCINCEUR

USNMR SHAPE

AMEMBASSY ANKARA

AMEMBASSY ATHENS

C O N F I D E N T I A L USNATO 3364

E.O. 11652: GDS

TAGS: MARR NATO TU

SUBJECT: LEGAL IMPLICATIONS OF TURKISH ACTION AGAINST US USE OF  
NATO INFRASTRUCTURE FUNDED FACILITIES IN TURKEY

SUMMARY. PRESS REPORTS OF RECENT ACTION BY TURKISH NATIONAL SECURITY COUNCIL SUGGEST POSSIBILITY THAT TURKS MAY TERMINATE US USE OF NATO FUNDED FACILITIES IN TURKEY. IF THIS OCCURS, WE BELIEVE A SERIOUS LEGAL QUESTION WILL BE PRESENTED TO THE DPC ON THE BASIS OF GENERAL RULE THAT HOST COUNTRIES ARE NOT FREE TO ACCEPT SOME USERS AND REJECT OTHERS AS LONG AS THEY ACCEPT COMMON FUNDS FOR CONSTRUCTION. WE SHOULD HAVE A CONTINGENCY POSITION ON THIS. REQUEST GUIDANCE. END SUMMARY.

1. AT LEAST ONE PRESS REPORT (AP FROM ANKARA) SAYS THAT THE TURKISH NATIONAL SECURITY COUNCIL PROPOSAL QUOTE INCLUDE A GRADUAL SHUTDOWN OF SOME 20 US MILITARY BASES SCATTERED THROUGHOUT TURKEY. AMONG THESE, THREE INTELLIGENCE GATHERING BASES IN SOTHEAST, NORT AND WEST TURKEY, AND ONE STRATEGIC AIR BASE AT INCIRLIK IN THE SOUTHEAST, ARE CONSIDERED THE MOST CONFIDENTIAL

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VITAL FOR WASHINGTON UNQUOTE. WE NOTE THAT THE SHUTDOWN OF SOME 20 US BASES WOULD HAVE TO INCLUDE A LARGE NUMBER OF NATO-FUNDED FACILITIES; INCIRLIK IS ONE SUCH FACILITY, AND IT HAS BEEN PROGRAMMED IN SLICE XXVI TO RECEIVE NATO FUNDED AIRCRAFT SHELTERS.

2. AS A GENERAL RULE, THE USE OF NATO FACILITIES BY THE FORCES OF COUNTRIES OTHER THAN THE HOST COUNTRY IS BASED ON BILATERAL ARRANGEMENTS BETWEEN EACH USER AND THE HOST. THIS WOULD SUGGEST THAT BY SIMPLY FAILING TO ACCEPT SUCH A BILATERAL ARRANGEMENT OR BY REFUSING TO CONTINUE IT, A HOST COULD EFFECTIVELY EXCLUDE ANY USER FROM A NATO FACILITY. ON THE OTHER HAND, THE VERY STRONG ASSUMPTION UNDERLYING THE JOINT FUNDING OF NATO FACILITIES IS THAT THEY ARE AVAILABLE FOR USE BY ANY PARTICIPATING NATION WHEN SUCH USE IS IN CONSONANCE WITH THE PLANS OF MAJOR NATO COMMANDERS. WE BELIEVE THEREFORE THAT THE EXCLUSION OF US FORCES FROM NATO FUNDED FACILITIES IN TURKEY WOULD INEVITABLY PUT A SERIOUS LEGAL QUESTION BEFORE THE DPC.

WE SUGGEST THAT WASHINGTON CONSIDER THIS POTENTIAL PROBLEM AND DEVELOP A POSITION FOR OUR USE IN WHATEVER NATO FORUM IT MAY ARISE.

ACTION REQUESTED: WASHINGTON GUIDANCE.

STREATOR

CONFIDENTIAL

<< END OF DOCUMENT >>

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